



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

In re PATENT Application of
Berscheid, et. al.

Application No. 08/860,007

Filed: August 4, 1997

For: BIOCIDAL ALCOHOLS, THEIR PRODUCTION AND THEIR USE

Commissioner for Patents
P.O. Box 1045
Alexandria, VA 22313-1450

Group Art Unit: 1621

Examiner: Shippen

June 10, 2004

Sir:

1 **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated January 14, 2004 of the Examiner twice/finally rejecting claims 8, 13, 14, 16-18, 21-26 and 33-35

2 **BRIEF** on appeal in this application attached in triplicate.

3 An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer – unextendable).

4 Reply Brief is attached in triplicate (due two months after Examiner's Answer – unextendable).

5 "Small entity" verified statement filed: herewith. previously.

6. FEE CALCULATION:		Large/Small Entity	
If box 1 above is X'd, see box 12 below <u>first</u> and decide:		enter \$165	\$ 165
If box 2 above is X'd, see box 12 below <u>first</u> and decide:		enter \$	\$
If box 3 above is X'd, see box 12 below <u>first</u> and decide:		enter \$	\$
If box 4 above is X'd,		enter nothing	- 0 - (no fee)
7. Original due date:			
8. Petition is hereby made to extend the original due date to cover (1 months) the date this response is filed for which the requisite fee is attached (2 months) (3 months) (4 months) (5 months)		\$210	210
9. Enter any previous extension fee paid, [] previously since above original due date (item 7); [] with concurrently filed amendment			
10. Subtract line 9 from line 8 and enter: Total Extension Fee		+210	
11. TOTAL FEE ATTACHED =		\$210	

12. *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. 50-0687/ for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Manelli Denison & Selter, PLLC

Att.: *[Signature]*

Customer No.: 20736

06/14/2004 JADDO1 00000060 500687 08860007
01 FC:2252
02 FC:2401
165.00 DA 210.00 DP

Jeffrey S. Melcher
Reg. No. 35,950
Tel: (202) 261-1045
Fax: (202) 887-0336

Adjustment date: 12/07/2004 SDIRFTA1
06/14/2004 JADDO1 00000060 500687 08860007
02 FC:2401 165.00 CR



SEARCHED
DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dep & Ref
ROOM #307

In re PATENT APPLICATION of

REC'D OCT 27 2004 11:55

BERSSCHEID, et al.

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Appln. No.: 08/860,007

Group Art Unit: 1621
Examiner: Shippen

Filed: August 7, 1997

Title: BIOCIDAL ALCOHOLS, THEIR PRODUCTION AND THEIR USE

* * * * *

October 25, 2004

REQUEST FOR REFUND

M/S REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is hereby requested that a refund in the amount of \$165.00 be credited to Deposit Account No. 500687 (Order No. 62209-45694). The amount of \$165.00 has been erroneously charged to Deposit Account No. 500687 pursuant to the Deposit Account Statement dated June, 2004 (copy attached hereto) which shows the \$165.00 being charged for a Notice of Appeal.

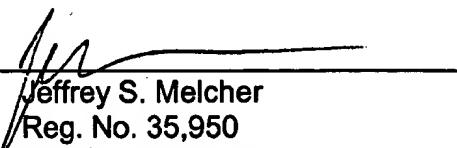
A Notice of Appeal was filed in the PTO on June 30, 1999, with respect to the subject application. A check in the amount of \$1170 was attached to that filing (\$300 Notice of Appeal fee and \$870 Extension fee). Payment of additional fees was not required.

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Accordingly, please credit PTO Deposit Account No. 500687 (order no. 62-2094: 55
45694) for the erroneously charged \$165.00 Notice of Appeal fee.

Respectfully submitted,

Manelli Denison & Selter, PLLC

By 

Jeffrey S. Melcher
Reg. No. 35,950
Tel. No.: (202) 261-1045
Fax No.: (202) 887-0336

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Seventh Floor
Washington, D.C. 20036
(202) 261-1000



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: June 2004
Deposit Account Number: 500687
Name: MANELLI DENISON & SELTER PLLC
Attention: EDWARD STEMBERGER
Address: 2000 M STREET, N.W.
City: WASHINGTON
State: DC
Zip: 20036

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
06/04	89	09459439	5-4-13-11	1504	\$300.00	\$10,317.00
06/09	117	09915549	662-57773	2251	\$5.00	\$10,312.00
06/14	92	08860007	62-209-45694	2401	\$165.00	\$10,147.00
06/17	294	PCT/US03/19852	20-320	1705	\$100.00	\$10,047.00
06/17	301	PCT/US03/35852	20-327	1705	\$100.00	\$9,947.00
06/21	43	10868837	84763	1201	\$18.00	\$9,929.00
06/21	45	10868837	84763	1203	\$290.00	\$9,639.00
06/23	58	10871031		9204	-\$30.00	\$9,669.00
06/24	14	10848164		9204	-\$530.00	\$10,199.00
06/30	16	10697945		9204	-\$130.00	\$10,329.00
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$10,617.00	\$978.00	\$690.00	\$10,329.00	

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THE UNITED STATES PATENT AND TRADEMARK OFFICE Re: Appeal to the Board of Patent Appeals and Interferences

In re PATENT Application of
Berscheid, et. al.

Application No. 08/860,007

Filed: August 4, 1997

For: BIOCIDAL ALCOHOLS, THEIR PRODUCTION AND THEIR USE

Hon. Asst. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

June 30, 1999

Sir:

- 1 **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated of the Examiner twice/finally rejecting claims
- 2 **BRIEF** on appeal in this application attached in triplicate.
- 3 An ORAL HEARING is respectfully requested under Rule 194 (due two months after Examiner's Answer – unextendable).
- 4 Reply Brief is attached in triplicate (due two months after Examiner's Answer – unextendable).
- 5 "Small entity" verified statement filed: herewith. previously.

6 FEE CALCULATION:	Large/Small Entity	
If box 1 above is X'd, see box 12 below <u>first</u> and decide:	enter \$	\$300
If box 2 above is X'd, see box 12 below <u>first</u> and decide:	enter \$	\$
If box 3 above is X'd, see box 12 below <u>first</u> and decide:	enter \$	\$
If box 4 above is X'd,	enter nothing	- 0 - (no fee)
7. Original due date: March 30, 1999		
8. Petition is hereby made to extend the original due date to cover (1 months) the date this response is filed for which the requisite fee is attached (2 months) (3 months) (4 months) (5 months)	\$	\$ 870
9. Enter any previous extension fee paid [] previously since above original due date (item 7); [] with concurrently filed amendment	-	
10. Subtract line 9 from line 8 and enter: Total Extension Fee	\$ 870	
TOTAL FEE ATTACHED =		\$1170

11.

12. *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. 50-0687, order No. 62-651 for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Farkas & Manelli, PLLC

Customer No.: 20736

Att::

Jeffrey S. Melcher
Reg. No. 35,950
Tel: (202) 261-1045
Fax: (202) 887-0336



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Re: Appeal to the Board of Patent Appeals and Interferences

In re PATENT Application of
Berscheid, et. al.

Application No. 08/860,007

Filed: August 4, 1997

For: BIOCIDAL ALCOHOLS, THEIR PRODUCTION AND THEIR USE

Hon. Asst. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

October 25, 1999

Sir:

- 1 **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated of the Examiner twice/finally rejecting claims
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If box 1 above is X'd, see box 12 below <u>first</u> and decide:	enter \$	\$
If box 2 above is X'd, see box 12 below <u>first</u> and decide:	enter \$	\$150
If box 3 above is X'd, see box 12 below <u>first</u> and decide:	enter \$	\$
If box 4 above is X'd,	enter nothing	- 0 - (no fee)
7. Original due date: August 30, 1999		
8. Petition is hereby made to extend the original due date to cover (1 months) the date this response is filed for which the requisite fee is attached (2 months) (3 months) (4 months) (5 months)	\$ 190	\$190
9. Enter any previous extension fee paid [] previously since above original due date (item 7); [] with concurrently filed amendment	-	
10. Subtract line 9 from line 8 and enter: Total Extension Fee	\$340	
11. TOTAL FEE ATTACHED =	\$340	

12. *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

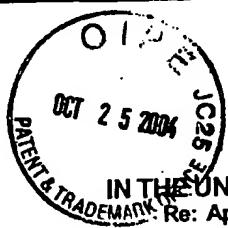
CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. 50-0687, order No. 62-651 for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the Issue fee until/unless an issue fee transmittal form is filed.

Farkas & Manelli, PLLC

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Customer No.: 20736



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Re: Appeal to the Board of Patent Appeals and Interferences

In re PATENT Application of
Berscheid, et. al.

Application No. 08/860,007

Group Art Unit: 1621

Examiner: Shippen

Filed: August 4, 1997

For: BIOCIDAL ALCOHOLS, THEIR PRODUCTION AND THEIR USE

August 3, 2004

Commissioner for Patents
P.O. Box 1045
Alexandria, VA 22313-1450

Sir:

- 1 **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated
- 2 **BRIEF** on appeal in this application attached in triplicate.
- 3 An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer - unextendable).
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- 5 "Small entity" verified statement filed: herewith. previously.

6 FEE CALCULATION:		Large/Small Entity	
If box 1 above is X'd, see box 12 below <u>first</u> and decide:		enter	\$ 165
If box 2 above is X'd, see box 12 below <u>first</u> and decide:		enter	\$
If box 3 above is X'd, see box 12 below <u>first</u> and decide:		enter	\$
If box 4 above is X'd,		enter nothing	- 0 - (no fee)
7. Original due date: August 10, 2004			
8. Petition is hereby made to extend the original due date to cover (1 months) <input type="checkbox"/> (2 months) <input type="checkbox"/> (3 months) <input type="checkbox"/> (4 months) <input type="checkbox"/> (5 months) <input type="checkbox"/>		60	0
9. Enter any previous extension fee paid <input type="checkbox"/> previously since above <u>original</u> due date (item 7); <input type="checkbox"/> with concurrently filed amendment		-	-
10. Subtract line 9 from line 8 and enter: Total Extension Fee		+0	
11.		TOTAL FEE ATTACHED = \$0	

12. *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. 50-0687/ for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

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